

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
FUNDS IN THE AMOUNT)	
OF \$94,059.31 SEIZED FROM)	
JP MORGAN CHASE BANK)	
ACCOUNT NUMBER xxxxxxxxxx891,)	
)	
Defendant.)	<u>JURY TRIAL DEMANDED</u>

VERIFIED COMPLAINT FOR FORFEITURE

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, for its verified complaint against the above-named defendant property alleges in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure as follows:

1. This complaint for forfeiture is verified by the attached affidavit of Special Agent David D. Barth of the Internal Revenue Service ("IRS"), which is fully incorporated herein.

Jurisdiction and Venue

2. This is an *in rem* forfeiture action brought pursuant to Title 31, United States Code, Section 5317(c)(2), for forfeiture of funds in the amount of \$94,059.31 seized from JP Morgan Bank account number xxxxxxxxxx891 as funds involved in violations of Title 31, United States Code, Sections 5313 and 5324. This court has jurisdiction over this action pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. This court has *in rem* jurisdiction over the defendant property pursuant to Title 28, United States Code, Sections 1355(b)(1)(A) and (d), as certain of the acts giving rise to the forfeiture occurred within the Northern District of Illinois.

4. Venue is proper under 28 U.S.C. § 1395(b) because the defendant funds were found and seized within the Northern District of Illinois and shall remain herein during the pendency of this action.

Specific Allegations

5. Title 31, United States Code, Section 5313(a) and Title 31, Code of Federal Regulations, Section 103.22 require domestic financial institutions to prepare and file with the Internal Revenue Service a Currency Transaction Report (Form 4789) ("CTR") for any transaction involving currency of more than \$10,000. Further, Title 31 of the Code of Federal Regulations requires financial institutions to verify and record information relating to the individual involved in the transaction, as well as the entity or person on whose behalf the transaction was to be conducted. Under certain circumstances, failure to file such a report is a violation of federal criminal law. An individual is not permitted to conduct transactions in any manner that is designed to cause the financial institutions to fail to file a CTR. 31 U.S.C. § 5324.

6. Structuring, as defined in 31 C.F.R. Section 103.11 (gg), provides, in part, that "a person structures a transaction if that person, acting alone, or in conjunction with, or on behalf of, other persons, conducts or attempts to conduct one or more transaction(s) in currency, in any amount, at one or more financial institutions, on one or more days, in any manner, for the purpose of evading the CTR reporting requirements. In any manner includes, but is not limited to, the breaking down of a single sum of currency exceeding \$10,000 into smaller sums, including sums at or below \$10,000. The transaction or transactions need not exceed the \$10,000 reporting threshold at any single financial institution on any single day in order to constitute structuring.

7. During the period of no later than approximately May 1, 2008, to the present, RN International, Inc (“RN International”) has maintained a checking account at JP Morgan Chase Bank. RN International is located at 3909 West Lawrence Avenue in Chicago, Illinois. On December 6, 2008, surveillance conducted at the location revealed that the business operates out of a 50 foot storefront location and appears to sell items that are typically sold at “dollar stores,” such as, air fresheners, over-the-counter medical supplies, and other non-prescription health care products. However, they do not sell items on an individual retail basis.

8. A review of bank records for the business shows that multiple cash deposits took place on the same banking day in amounts totaling in excess of \$10,000. Each cash deposit individually was below the \$10,000 reporting requirement in order to avoid reporting requirements.

9. According to bank records, between approximately May 1, 2008, to the present, the authorized signatories on RN International’s JP Morgan Chase Bank checking account ending in 891 are Sunil M. Shah and Amit Kumar Shah.

10. A review of bank records revealed that during the period July 2, 2009, through February 12, 2010, 188 cash deposits totaling \$1,413,096 were made into the JP Morgan Chase checking account. Each of these deposits was under \$10,000 and many occurred on the same day.

11. On July 2, 2010, Special Agent Barth telephonically interviewed Employee A, Compliance Officer for JP Morgan Chase Bank. Employee A stated that on August 19, 2008, JP Morgan Chase sent RN International a “Structuring Warning Letter.” This letter is sent to customers that Chase believes are illegally structuring cash transactions. The Structuring Warning Letter also contains references to the Structuring laws contained in Title 31 of the United States Code. In response to the letter, Sunil M. Shah contacted Employee A on August 26, 2008. Employee A stated that during their conversation she advised Shah to cease the structuring activity of the cash deposits

and Shah agreed to do so. IRS databases reflect there were seventy-six CTRs filed on RN International after Employee A's conversation with Shah.

12. RN International has not filed any IRS Forms 8300 from the period of January 11, 2005 through April 20, 2010. A Form 8300 is a report of cash payment over \$10,000 received in a trade or business. Each person engaged in a trade or business who, in the course of that trade or business, receives more than \$10,000 in cash in one transaction or in two or more related transactions, must file Form 8300. Any transactions conducted between a payer (or its agents) and the recipient in a 24-hour period are related transactions. Transactions are considered related even if they occur over a period of more than 24 hours if the recipient knows, or has reason to know, that each transaction is one of a series of connected transactions.

13. The following chart shows cash deposits between approximately July 2, 2009 and February 12, 2010:

JP Morgan Chase Bank Account #xxxxxxxxxx891 in the name of RN International

<u>Date</u>	<u>Description</u>	<u>Amount</u>	<u>Typ</u>
Thursday, July 02, 2009	Deposit	\$2,000.00	Cash
Friday, July 03, 2009	Deposit	\$1,583.00	Cash
Monday, July 06, 2009	Deposit	\$6,000.00	Cash
Tuesday, July 07, 2009	Deposit	\$2,000.00	Cash
Wednesday, July 08, 2009	Deposit	\$5,000.00	Cash
Thursday, July 09, 2009	Deposit	\$6,000.00	Cash
Friday, July 10, 2009	Deposit	\$2,656.00	Cash
Friday, July 10, 2009	Deposit	\$6,600.00	Cash
Monday, July 13, 2009	Deposit	\$6,120.00	Cash
Tuesday, July 14, 2009	Deposit	\$4,430.00	Cash
Wednesday, July 15, 2009	Deposit	\$4,500.00	Cash
Thursday, July 16, 2009	Deposit	\$8,690.00	Cash
Friday, July 17, 2009	Deposit	\$8,000.00	Cash
Monday, July 20, 2009	Deposit	\$3,000.00	Cash
Wednesday, July 22, 2009	Deposit	\$940.00	Cash
Wednesday, July 22, 2009	Deposit	\$150.00	Cash
Wednesday, July 22, 2009	Deposit	\$2,700.00	Cash
Friday, July 24, 2009	Deposit	\$1,375.00	Cash
Sunday, July 26, 2009	Deposit	\$5,000.00	Cash
Tuesday, July 28, 2009	Deposit	\$5,000.00	Cash
Wednesday, July 29, 2009	Deposit	\$8,900.00	Cash
Thursday, July 30, 2009	Deposit	\$8,700.00	Cash

Friday, July 31, 2009	Deposit	\$8,200.00	Cash
Monday, August 03, 2009	Deposit	\$8,900.00	Cash
Monday, August 03, 2009	Deposit	\$8,900.00	Cash
Tuesday, August 04, 2009	Deposit	\$8,900.00	Cash
Wednesday, August 05, 2009	Deposit	\$8,000.00	Cash
Thursday, August 06, 2009	Deposit	\$8,700.00	Cash
Friday, August 07, 2009	Deposit	\$8,528.00	Cash
Monday, August 10, 2009	Deposit	\$9,250.00	Cash
Monday, August 10, 2009	Deposit	\$8,900.00	Cash
Tuesday, August 11, 2009	Deposit	\$9,350.00	Cash
Wednesday, August 12, 2009	Deposit	\$9,150.00	Cash
Thursday, August 13, 2009	Deposit	\$9,000.00	Cash
Friday, August 14, 2009	Deposit	\$5,575.00	Cash
Monday, August 17, 2009	Deposit	\$8,900.00	Cash
Tuesday, August 18, 2009	Deposit	\$8,900.00	Cash
Wednesday, August 19, 2009	Deposit	\$8,760.00	Cash
Thursday, August 20, 2009	Deposit	\$8,885.00	Cash
Friday, August 21, 2009	Deposit	\$8,500.00	Cash
Monday, August 24, 2009	Deposit	\$8,000.00	Cash
Monday, August 24, 2009	Deposit	\$8,940.00	Cash
Tuesday, August 25, 2009	Deposit	\$6,100.00	Cash
Wednesday, August 26, 2009	Deposit	\$8,870.00	Cash
Thursday, August 27, 2009	Deposit	\$8,900.00	Cash
Friday, August 28, 2009	Deposit	\$8,800.00	Cash
Friday, August 28, 2009	Deposit	\$2,900.00	Cash
Monday, August 31, 2009	Deposit	\$8,900.00	Cash
Monday, August 31, 2009	Deposit	\$7,820.00	Cash
Tuesday, September 01, 2009	Deposit	\$4,000.00	Cash
Tuesday, September 01, 2009	Deposit	\$2,000.00	Cash
Thursday, September 03, 2009	Deposit	\$2,000.00	Cash
Friday, September 04, 2009	Deposit	\$7,400.00	Cash
Tuesday, September 08, 2009	Deposit	\$8,200.00	Cash
Tuesday, September 08, 2009	Deposit	\$6,000.00	Cash
Wednesday, September 09, 2009	Deposit	\$8,950.00	Cash
Thursday, September 10, 2009	Deposit	\$8,900.00	Cash
Friday, September 11, 2009	Deposit	\$8,850.00	Cash
Monday, September 14, 2009	Deposit	\$9,500.00	Cash
Monday, September 14, 2009	Deposit	\$8,900.00	Cash
Tuesday, September 15, 2009	Deposit	\$9,500.00	Cash
Wednesday, September 16, 2009	Deposit	\$230.00	Cash
Wednesday, September 16, 2009	Deposit	\$8,960.00	Cash
Thursday, September 17, 2009	Deposit	\$8,500.00	Cash
Friday, September 18, 2009	Deposit	\$700.00	Cash
Monday, September 21, 2009	Deposit	\$6,500.00	Cash
Monday, September 21, 2009	Deposit	\$7,200.00	Cash
Tuesday, September 22, 2009	Deposit	\$8,950.00	Cash
Wednesday, September 23, 2009	Deposit	\$8,985.00	Cash
Thursday, September 24, 2009	Deposit	\$9,600.00	Cash
Friday, September 25, 2009	Deposit	\$9,350.00	Cash
Monday, September 28, 2009	Deposit	\$6,000.00	Cash
Monday, September 28, 2009	Deposit	\$9,280.00	Cash
Tuesday, September 29, 2009	Deposit	\$9,550.00	Cash

Wednesday, September 30, 2009	Deposit	\$9,175.00	Cash
Thursday, October 01, 2009	Deposit	\$9,550.00	Cash
Friday, October 02, 2009	Deposit	\$8,700.00	Cash
Monday, October 05, 2009	Deposit	\$8,700.00	Cash
Monday, October 05, 2009	Deposit	\$9,400.00	Cash
Tuesday, October 06, 2009	Deposit	\$8,980.00	Cash
Wednesday, October 07, 2009	Deposit	\$8,430.00	Cash
Thursday, October 08, 2009	Deposit	\$8,800.00	Cash
Monday, October 12, 2009	Deposit	\$8,400.00	Cash
Tuesday, October 13, 2009	Deposit	\$3,700.00	Cash
Wednesday, October 14, 2009	Deposit	\$8,900.00	Cash
Thursday, October 15, 2009	Deposit	\$3,000.00	Cash
Thursday, October 15, 2009	Deposit	\$6,000.00	Cash
Friday, October 16, 2009	Deposit	\$8,800.00	Cash
Monday, October 19, 2009	Deposit	\$8,600.00	Cash
Monday, October 19, 2009	Deposit	\$9,500.00	Cash
Tuesday, October 20, 2009	Deposit	\$8,960.00	Cash
Tuesday, October 20, 2009	Deposit	\$600.00	Cash
Wednesday, October 21, 2009	Deposit	\$9,470.00	Cash
Thursday, October 22, 2009	Deposit	\$9,695.00	Cash
Friday, October 23, 2009	Deposit	\$9,500.00	Cash
Monday, October 26, 2009	Deposit	\$9,300.00	Cash
Monday, October 26, 2009	Deposit	\$9,300.00	Cash
Tuesday, October 27, 2009	Deposit	\$9,150.00	Cash
Wednesday, October 28, 2009	Deposit	\$5,650.00	Cash
Thursday, October 29, 2009	Deposit	\$8,377.00	Cash
Friday, October 30, 2009	Deposit	\$9,500.00	Cash
Monday, November 02, 2009	Deposit	\$9,050.00	Cash
Monday, November 02, 2009	Deposit	\$9,000.00	Cash
Tuesday, November 03, 2009	Deposit	\$8,900.00	Cash
Wednesday, November 04, 2009	Deposit	\$7,780.00	Cash
Thursday, November 05, 2009	Deposit	\$9,500.00	Cash
Friday, November 06, 2009	Deposit	\$8,900.00	Cash
Monday, November 09, 2009	Deposit	\$8,900.00	Cash
Monday, November 09, 2009	Deposit	\$8,300.00	Cash
Tuesday, November 10, 2009	Deposit	\$8,600.00	Cash
Thursday, November 12, 2009	Deposit	\$8,760.00	Cash
Friday, November 13, 2009	Deposit	\$8,900.00	Cash
Monday, November 16, 2009	Deposit	\$8,900.00	Cash
Monday, November 16, 2009	Deposit	\$8,900.00	Cash
Tuesday, November 17, 2009	Deposit	\$8,900.00	Cash
Wednesday, November 18, 2009	Deposit	\$8,900.00	Cash
Thursday, November 19, 2009	Deposit	\$8,900.00	Cash
Friday, November 20, 2009	Deposit	\$8,900.00	Cash
Monday, November 23, 2009	Deposit	\$8,900.00	Cash
Monday, November 23, 2009	Deposit	\$8,950.00	Cash
Tuesday, November 24, 2009	Deposit	\$8,960.00	Cash
Wednesday, November 25, 2009	Deposit	\$8,900.00	Cash
Friday, November 27, 2009	Deposit	\$2,990.00	Cash
Monday, November 30, 2009	Deposit	\$8,900.00	Cash
Monday, November 30, 2009	Deposit	\$8,500.00	Cash
Tuesday, December 01, 2009	Deposit	\$8,786.00	Cash

Thursday, December 03, 2009	Deposit	\$3,690.00	Cash
Friday, December 04, 2009	Deposit	\$5,000.00	Cash
Monday, December 07, 2009	Deposit	\$8,900.00	Cash
Tuesday, December 08, 2009	Deposit	\$8,733.00	Cash
Wednesday, December 09, 2009	Deposit	\$8,790.00	Cash
Wednesday, December 09, 2009	Deposit	\$8,900.00	Cash
Friday, December 11, 2009	Deposit	\$8,900.00	Cash
Saturday, December 12, 2009	Deposit	\$8,900.00	Cash
Monday, December 14, 2009	Deposit	\$9,220.00	Cash
Tuesday, December 15, 2009	Deposit	\$8,900.00	Cash
Wednesday, December 16, 2009	Deposit	\$8,965.00	Cash
Thursday, December 17, 2009	Deposit	\$8,900.00	Cash
Friday, December 18, 2009	Deposit	\$8,950.00	Cash
Saturday, December 19, 2009	Deposit	\$8,900.00	Cash
Monday, December 21, 2009	Deposit	\$9,240.00	Cash
Tuesday, December 22, 2009	Deposit	\$8,700.00	Cash
Wednesday, December 23, 2009	Deposit	\$8,700.00	Cash
Thursday, December 24, 2009	Deposit	\$3,960.00	Cash
Monday, December 28, 2009	Deposit	\$8,900.00	Cash
Wednesday, December 30, 2009	Deposit	\$8,870.00	Cash
Saturday, January 02, 2010	Deposit	\$8,900.00	Cash
Monday, January 04, 2010	Deposit	\$8,900.00	Cash
Tuesday, January 05, 2010	Deposit	\$9,000.00	Cash
Wednesday, January 06, 2010	Deposit	\$8,000.00	Cash
Thursday, January 07, 2010	Deposit	\$9,250.00	Cash
Friday, January 08, 2010	Deposit	\$9,700.00	Cash
Monday, January 11, 2010	Deposit	\$9,600.00	Cash
Monday, January 11, 2010	Deposit	\$9,000.00	Cash
Tuesday, January 12, 2010	Deposit	\$9,700.00	Cash
Wednesday, January 13, 2010	Deposit	\$9,100.00	Cash
Friday, January 15, 2010	Deposit	\$8,675.00	Cash
Saturday, January 16, 2010	Deposit	\$9,700.00	Cash
Sunday, January 17, 2010	Deposit	\$9,100.00	Cash
Tuesday, January 19, 2010	Deposit	\$8,965.00	Cash
Wednesday, January 20, 2010	Deposit	\$9,500.00	Cash
Thursday, January 21, 2010	Deposit	\$9,000.00	Cash
Friday, January 22, 2010	Deposit	\$9,500.00	Cash
Saturday, January 23, 2010	Deposit	\$8,900.00	Cash
Monday, January 25, 2010	Deposit	\$8,900.00	Cash
Tuesday, January 26, 2010	Deposit	\$9,500.00	Cash
Wednesday, January 27, 2010	Deposit	\$8,900.00	Cash
Wednesday, January 27, 2010	Deposit	\$200.00	Cash
Wednesday, January 27, 2010	Deposit	\$100.00	Cash
Thursday, January 28, 2010	Deposit	\$1,910.00	Cash
Thursday, January 28, 2010	Deposit	\$1,850.00	Cash
Friday, January 29, 2010	Deposit	\$1,800.00	Cash
Saturday, January 30, 2010	Deposit	\$5,800.00	Cash
Monday, February 01, 2010	Deposit	\$9,500.00	Cash
Tuesday, February 02, 2010	Deposit	\$9,300.00	Cash
Wednesday, February 03, 2010	Deposit	\$8,900.00	Cash
Thursday, February 04, 2010	Deposit	\$9,500.00	Cash
Friday, February 05, 2010	Deposit	\$400.00	Cash

Friday, February 05, 2010	Deposit	\$8,940.00	Cash
Saturday, February 06, 2010	Deposit	\$8,900.00	Cash
Monday, February 08, 2010	Deposit	\$9,500.00	Cash
Tuesday, February 09, 2010	Deposit	\$748.00	Cash
Tuesday, February 09, 2010	Deposit	\$9,500.00	Cash
Tuesday, February 09, 2010	Deposit	\$9,500.00	Cash
Wednesday, February 10, 2010	Deposit	\$8,400.00	Cash
Thursday, February 11, 2010	Deposit	\$8,700.00	Cash
Thursday, February 11, 2010	Deposit	\$50.00	Cash
Friday, February 12, 2010	Deposit	<u>\$8,900.00</u>	Cash
Total Amount of Structured Cash		\$1,413,096.00	

17. On or about July 6, 2010, warrants were executed to seize the funds the above-referenced account, administrative forfeiture was commenced and on September 15, 2010, a claim was filed by RN International, Inc. This complaint is filed pursuant to Title 18, United States Code, Section 983.

18. For the reasons stated herein and in the attached affidavit, incorporated by reference herein, there is probable cause to believe that the funds in the amount of \$94,059.31 seized from JP Morgan Chase Bank account number xxxxxxxxxxx891, were involved in violations of 31 U.S.C. §§ 5313 and 5324, and are therefore subject to forfeiture and condemnation pursuant to 31 U.S.C. § 5317(c).

WHEREFORE, the United States of America requests:

A. That the defendant funds be proceeded against for forfeiture and condemnation, that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed;

B. That the court adjudge and decree that the defendant funds be forfeit to the United States and disposed of according to law; and

C. The United States requests that any trial be before a jury.

Respectfully submitted,

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